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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women
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2–20 July 2018
Item 4 of the provisional agenda
Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

List of issues and questions in relation to the eighth periodic report of New Zealand

Addendum

Replies of New Zealand*

[Date received: 19 February 2018]

* The present document is being issued without formal editing.

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Please recycle

1. The Committee's questions are quoted in bold and the Government response to each question follows in plain text. The information provided is current at the date of this document.

Legislative and institutional framework

2. **It is stated in the report (para. 7) that there have been no changes with regard to the State party's legal framework since its previous report because it already provides comprehensive protection against all forms of discrimination covered under the Convention. Please clarify the extent to which the legal framework of the State party encompasses the elements of direct and indirect discrimination and seeks to achieve both formal and substantive equality between women and men (CEDAW/C/NZL/CO/7, para. 12). Please also provide examples of cases, if any, where the provisions of the Convention have been invoked by national courts. Please further provide information on specific measures taken to raise awareness and to enhance knowledge of the rights of women under the Convention, including through training for judges and lawyers.**

3. New Zealand's legal framework provides universal protection against all forms of discrimination and is supported by a comprehensive, independent institutional structure to ensure its effective enforcement.

4. The New Zealand Bill of Rights Act 1990 (s 19(1)) and the Human Rights Act 1993 (s 21(1)(a)) prohibit public and private sector sex discrimination, including indirect discrimination. The prohibited grounds of discrimination in the Human Rights Act 1993 include sex, marital status and family status. The term 'sex' explicitly includes pregnancy and childbirth. These grounds offer comprehensive protection against unlawful discrimination against women.

5. All new legislation is vetted for compliance with the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993.

6. The Convention has been specifically referred to in a number of cases in New Zealand Courts. Recent examples include:

- Terranova Homes and Care Ltd v Service and Food Workers Union Nga;
- Ringa Tota Inc. [2015] 2 NZLR 437;
- BY (China) v Refugee and Protection Officer [2016] NZAR 1595;
- Ministry for Primary Industries v Erickson [2016] NZAR 1553.

7. The provisions of the Convention have been incorporated into domestic human rights legislation.

8. The Ministry for Women (MfW), the Ministry of Justice (MOJ) and the Ministry of Foreign Affairs and Trade (MFAT) have information on the Convention available on their websites, including New Zealand's periodic reports, the Committee's Concluding Observations, opportunities for consultation, and current projects.

9. MfW continues to promote the Convention and its related instruments through its publications, and at regional meetings and other forums, including the International Women's Caucus.

10. Undertaken by the Institute of Judicial Studies, training of the judiciary provides for consideration of domestic human rights legislation and international human rights instruments, as well as covering diversity issues, including gender equality.

11. The New Zealand Law Society provides training to lawyers when it is required by the creation of new laws, and on a continuing and 'as needed' basis. Training

includes consideration of domestic human rights legislation and international human rights instruments, as well as the dynamics of domestic violence and the philosophy of the Family Violence Courts.

12. **In accordance with the State party's obligations under articles 1 and 2 of the Convention and in line with Sustainable Development Goal 5, to end all forms of discrimination against all women and girls everywhere, please provide information on the activities of existing mechanisms mandated to promote, enforce and monitor equality and the principle of non-discrimination on the basis of sex, including direct and indirect discrimination in the private and public spheres, as well as intersecting forms of discrimination, in all areas covered by the Convention. Please also provide information regarding the existing system for the collection, sharing and analysis of data, disaggregated by sex, age, ethnicity and disability, pertaining to all areas covered by the Convention.**

13. The Government is committed to working with stakeholders and communities to achieve better results for New Zealand women.

14. MfW priorities reflect the long-term nature of the change needed in three areas:

- Valuing women's contribution in the labour market;
- Increasing women's and girls' safety from violence;
- Increasing women's representation in leadership.

15. These priorities align with the major areas of concern highlighted in the Committee's Concluding Observations. Substantive detail of the work programme underlying these priorities can be found in the MfW *Annual Report 2017*[1] and *Briefing to the Incoming Minister 2017*.[2]

16. New Zealand has a world leading Integrated Data Infrastructure which provides a full range of disaggregated population data. This data is regularly updated and allows MfW to accurately monitor the progress of women on an ongoing basis. Current initiatives like the New Zealand Data Futures Forum will provide government agencies with greater access to shared gender data.

National machinery for the advancement of women

17. **It is indicated in the report (para. 10) that the Ministry for Women, the principal adviser on achieving better outcomes for women, focuses on four priority areas. Please provide information on how the implementation of those priority areas is monitored, considering that the State party has not adopted an action plan for women. Please clarify whether the State party has gender focal points in ministries and government departments to implement and monitor progress on gender-mainstreaming activities, including in Tokelau. Please also provide information on the progress made in implementing gender-responsive budget activities, and on steps taken to increase the budget allocation for the Ministry for Women, thereby enabling it to carry out its activities as the national machinery for the advancement of women effectively (CEDAW/C/NZL/CO/7, para. 18). Please provide information on the situation of women and girls in Tokelau.**

[1] http://women.govt.nz/sites/public_files/Ministry%20for%20Women%20Annual%20Report%202017.pdf

[2] https://www.beehive.govt.nz/sites/default/files/2017-12/Women.PDF

18. MfW publishes an annual report[3] that monitors the implementation of activities in priority areas. MfW also regularly carries out a stakeholder survey[4] as part of its performance measures.

19. See paras. 14 to 16.

20. MfW is the Government's principal advisor on achieving better outcomes for women in New Zealand. It continues to provide decision makers across government with a gender perspective on a range of policy issues.

21. New Zealand does not currently undertake specific gender budgeting. New Zealand's approach is to ensure that across agencies, gender is taken into account during policy development so that policies can be designed, implemented and evaluated in a way that addresses the complexity of the issues in order to improve outcomes for women.

22. Since 2002, all Cabinet papers for the Cabinet Social Wellbeing Committee have been required to include a Gender Impact Statement, which outlines whether or not gender analysis has been undertaken, and whether and to what extent the policy proposal is expected to affect men and women differently.

23. Budget 2016 provided an increase of $1.83 million over 4 years for vote Women to maintain policy capability.

24. All Government agencies are required to lift productivity, make the best use of their people and resources, demonstrate value for money and find innovative ways of delivering public services. MfW focuses on areas where long-term change is needed and works collaboratively with government and non-governmental agencies and the private sector to influence positive change for New Zealand women.

25. See Appendix A.

Access to justice

26. **Information before the Committee indicates that there has been a steady decline in the number of lawyers providing legal aid and that changes in the legal aid system disadvantage women, particularly migrant women. Please provide information on specific measures being taken to ensure access to justice for women, particularly migrant women, in line with general recommendation No. 33 (2015) on women's access to justice. Please also provide information on steps being taken to ensure that legal aid is available to women and girls, particularly from disadvantaged groups such as Maori, Pasifika and migrant women and women with disabilities.**

27. The Government is focused on ensuring that New Zealand's justice system is humane and effective. A key component to this is ensuring that all low-income individuals have access to justice through appropriate legal representation from the government-funded legal aid service. The Government intends to review the legal aid policy settings and the impact of reforms to the family court regarding care of children proceedings. The Government is also undertaking reform of Family Violence legislation. Improved access to legal orders, such as protection orders, is a key part of this reform.

28. Multiple forms of legal assistance are available in New Zealand. Availability of legal aid for criminal proceedings is generally universal for all moderate and serious cases. Civil proceedings are generally means tested. Some applications are exempted

[3] http://women.govt.nz/sites/public_files/Ministry%20for%20Women%20Annual%20Report%202017.pdf.

[4] http://women.govt.nz/documents/ministry-women-stakeholder-feedback.

from particular requirements due to the vulnerability of applicants involved (e.g. refugee and immigration cases, applications for protection orders, and care and protection cases). Free legal assistance is also available from community law centres, and a duty lawyer scheme is available in criminal courts.

Temporary special measures

29. **It is stated in the report that temporary special measures are not the best way to address inequalities between women and men (para. 35). Please provide information on the introduction of any measures aimed at accelerating the realization of de facto equality between women and men in the State party, in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures.**

30. In May 2017 more than 55,000 care and support workers, the majority of whom were women, received a $2 billion settlement, to rectify the historic undervaluation of their work following a judgment from the Court of Appeal (NZCA) in the case of Terranova Homes and Care Ltd v Service and Food Workers Union Nga Ringa Tota Inc [2014] NZCA 516 (Terranova). The NZCA held that the Equal Pay Act 1972 (the Act) required equal pay for work of equal value (pay equity) not simply the same pay for the same work. This judgment changed how the Act was understood.

31. The Minister for Workplace Relations and Safety and the Minister for Women are working together on pay equity legislation. The Ministers have reconvened the Joint Working Group on Pay Equity Principles (JWG) as the next step in pay equity for New Zealand women. The JWG is a tripartite group including government, employee representatives (unions) and employer organisations. Government intends to introduce legislation in 2018.

Stereotypes and harmful practices

32. **Please provide information on measures being taken to change social and cultural patterns that lead to stereotyping and the reinforcement of traditional roles of women and men in the family and society, particularly targeting the media, which perpetuate discrimination against women and girls (CEDAW/C/NZL/CO/7, para. 21). Please provide an update on progress and challenges in combating cyberbullying following the entry into force of the Harmful Digital Communications Act in 2015, and in eliminating harmful practices such as child marriage. Please also describe the impact such measures have had in eliminating stereotypical perceptions and attitudes regarding the roles of women in the family and society.**

33. Government agencies work with a diverse range of communities to provide targeted education on specific issues related to gender equality.

34. Through its media communications MfW actively works to breakdown gender stereotypes and give greater visibility to women in non-traditional roles. MfW research has shown that visibility of women role models encourages more women to enter those industries, and in the long-term, helps to achieve pay equality and women's advancement in leadership.

35. MfW and the Minister for Women regularly make media comments to support women where they have faced harmful practices, for example, sexist advertising and discrimination for breast-feeding in public.

36. In December 2017, MfW released a research report, *Insights into Digital Harm: the online lives of New Zealand girls and boys*.[5] It aims to better understand young

[5] http://women.govt.nz/documents/insights-digital-harm-online-lives-new-zealand-girls-and-boys

people's online behaviour, provide a gendered understanding of digital harm, and identify promising directions to prevent and reduce digital harm, for parents and providers, schools and government.

37. See paras. 103 to 109.

38. The Harmful Digital Communications Act 2015 (the HDC) provides a range of measures to prevent and reduce the harm of cyberbullying and online harassment. It also provides easy, accessible ways for people to deal with issues like cyberbullying.

39. Criminal prosecutions can be brought against those who deliberately post harmful communications to cause serious emotional distress.

40. A civil enforcement regime also provides a range of actions, which can be utilised by the approved agency, NetSafe.

41. Since coming into force the HDC has resulted in.(as at 19 December 2017):

- 215 criminal charges filed;
- 109 criminal convictions and sentences;
- 18 civil applications filed;
- 4 civil applications granted.

42. As at 30 September 2017, NetSafe had received 574 harmful digital communication complaints since they started operations on 21 November 2016.

43. See paras. 216 to 218.

44. See paras. 14 to 16 and 35 to 38.

Gender-based violence against women

45. **It is indicated in the report that violence against women in the State party is widespread and takes many different forms, including physical, sexual and psychological abuse (para. 195), and that, although there has been a decline in the annual prevalence rate of partner violence and sexual violence against women since 2005, Maori women are twice as likely to experience gender-based violence as other groups of women (para. 197). Please provide information on the challenges and successes encountered in combating gender-based violence against women, including domestic violence, and particularly among Maori women, since the establishment of the Ministerial Group on Family Violence and Sexual Violence in 2014. Please provide an update on the status of the implementation of laws and policies designed to prevent violence against women, including domestic violence, and the findings of the Ministerial Group, which was due to submit a report to the Cabinet in June 2016.**

46. **According to information before the Committee, ethnic minority women who are brought to the State party for marriage are listed as "dependants" on their partners' visas and, as a result, may suffer violence and abuse, including the threat of deportation. Please provide information on steps being taken to protect such women by ensuring appropriate monitoring of their situations until their marriages are registered and they are granted residency status in their own right. Please also provide data on protection orders issued during the reporting period, violations of those orders and the sanctions imposed as a result. Please also provide data, disaggregated by age and type of offence, on cases of violence against women reported to the police, the number of cases brought to court and the number of prosecutions and convictions resulting from those cases. Please provide information on the availability, accessibility and funding of shelters for**

women and girls who are victims of violence, particularly in rural areas (para. 206).

47. The Government has acknowledged that responses to family violence need to be improved and that this will be challenging. To improve the system the Government has started to lay the foundations for a new integrated, consistent and effective approach to family violence and sexual violence by:

- Implementing new laws and policies;
- Introducing new services;
- Improving political oversight and multi-agency coordination;
- Investing in data to improve knowledge of family and sexual violence prevalence;
- Increasing the focus on investment in prevention services;
- Investment in kaupapa Māori initiatives such as E Tū Whānau.

New Laws and Policies

48. A Family and Whānau Violence Legislation Bill is currently before Parliament and is expected to be passed into law in 2018. The Bill:

- Makes it easier to apply for protection orders;
- Improves services to help perpetrators change their behaviour;
- Improves the safety of adult and child victims following separation;
- Ensures family violence is effectively prosecuted, through the new offences of strangulation, assault on a family member and coercion to marry.

49. New Zealand Police (Police) are trialling a joint response with community workers to reported family violence in partnership with local Iwi, Māori and social sector agencies.

50. Police have developed on-scene video interviews for victims of violence to give victims a voice, improve the quality of evidence and reduce secondary revictimization.

51. To reduce high attrition rates in sexual violence complaints proceeding to court, new resources are being developed to help victims understand the justice process.

52. In 2017 new frameworks for safe, respectful, integrated practice in response to family violence, sexual violence and violence within whānau were released.

53. Police, the Accident Compensation Corporation (ACC) and MOJ have developed new approaches to improve their response to staff and clients affected by family and sexual violence.

New services

54. In 2016/17, the Government provided $46 million (over four years) for specialist services to better support victims and perpetrators of sexual violence. Contracts for crisis support services have been extended to a three-year term.

55. A new national sexual harm phone and web-based helpline will be launched in early 2018.

56. In 2016, a $26.4m pilot of a new Integrated Safety Response (ISR) model was launched.

57. A new elder abuse response service has been established, including a free and confidential 24/7 helpline.

Oversight and coordination

58. A new political position of Parliamentary Undersecretary to the Minister of Justice (Domestic and Sexual Violence) has been established. This role will support the coordination of cross-government work, lead the Government's engagement with the community sector, and oversee operational improvements.

59. A new multi-agency team with links to the non-government sector has been established to develop and coordinate proposals for a future family violence system.

Improving Data

60. New Zealand's national crime survey has been redesigned to allow the collection of richer data about family and sexual violence, including relationships between victims and perpetrators.

Investment in prevention and community-led responses

61. An advisory board has been established to advise on investment in family violence prevention including review of existing programmes.

62. Good practice guidelines have been developed for the primary prevention workforce to improve service delivery.

63. A strategy for preventing sexual violence on campus is being implemented over the next three years by ACC in partnership with tertiary institutions.

64. A report from the Ministerial Group to Cabinet on April 2016 concluded that:

- Agencies are committed to addressing family violence and sexual violence, however, there are problems with the current response;
- Victims and their families are not always kept safe; perpetrators are not always supported to make behaviour changes; and services appear fragmented, difficult to navigate and are not always aligned to client need or best practice;
- $1.4 billion of the Government's annual budget is attributable to core and specialist service responses to family violence or sexual violence. Almost 90 per cent covers costs incurred after violence occurs;
- Improved data and evidence are needed to appropriately target interventions;
- Some of the building blocks are in place to improve the sexual violence system, such as the ACC's Integrated Services for Sensitive Claims and an increase in funding for sexual violence services.

65. The Victims of Domestic Violence Policy enables partners of New Zealand citizens or residents to seek residence on the basis of a relationship that has ended because of domestic violence. This policy applies to people who cannot return home because of the impacts of stigma, or because they would have no means of independent financial support. In addition, a special work visa may be granted for up to six months.

66. The Government funds Shakti Community Council to provide a refuge service for ethnic migrant women and their children without permanent residence status who are victims of domestic violence. The service provides culturally appropriate emergency housing, advocacy, support and assists in application for residence under the Victims of Domestic Violence Policy.

67. In the period 1 July 2015 to 30 June 2016, 3,581 protection order applications were filed and granted in the Family Court. The number of applications filed and granted has increased over the last five years (rising from 2,751 in the 2011/12 financial year).

68. Over the same period, the number of people convicted of breaching a protection order in the Criminal Court also increased (from 1,805 people in 2011/12 to 2,412 in 2015/16). The most common sentence type imposed for breaching a protection order is imprisonment (around one third of people sentenced), followed by community work (around one quarter).

69. Police has comparable victim statistics for July 2014–November 2017. Within the Australian and New Zealand Standard Offence Classification division Crimes Against the Person,[9] 80.8 per cent were for Acts Intended to Cause Injury, and 15.5 per cent were for Sexual Assault and Related Offences (see table 1).

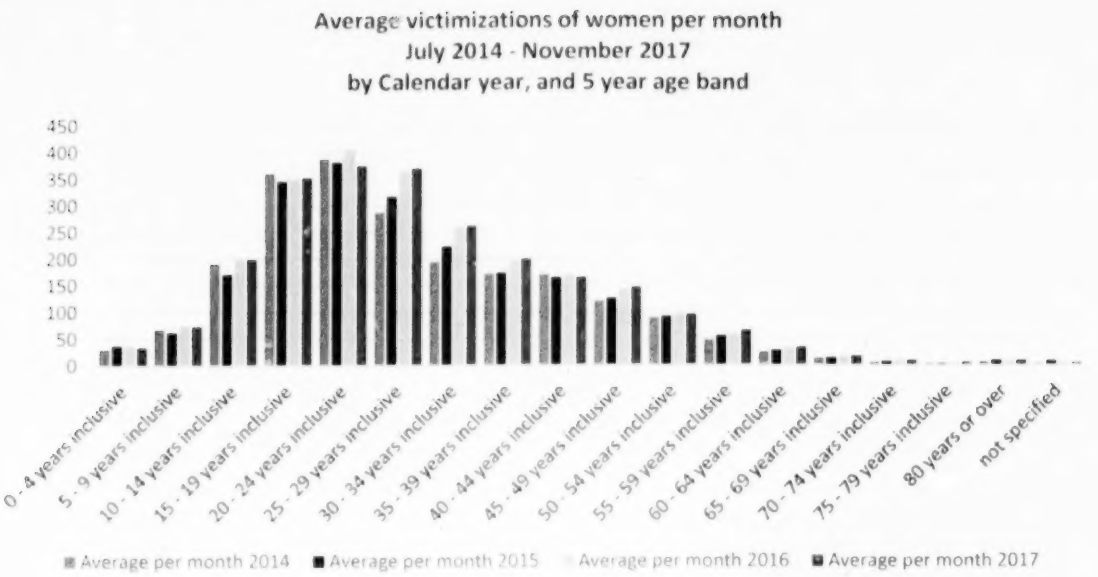
Table 1
Total Crimes Against the Person victimizations reported to New Zealand Police for all women broken down by crime type (July 2014–November 2017)

ANZSOC Crimes Against the Person	*Reported*	*%*
Acts Intended to Cause Injury	75 097	80.80
Sexual Assault and Related Offences	14 415	15.50
Robbery, Extortion and Related Offences	2 805	3.00
Abduction, Harassment and Other Related Offences Against a Person	646	0.70
Total	**92 963**	**100**

70. Of victimizations reported to Police, 47 per cent were for women aged 15–29 years, after which reported victimization declined steadily with age (see figure 1).

[9] This excludes Homicide and Related Offences. For more information see the annual report http://www.police.govt.nz/sites/default/files/publications/homicide-victims-report-2015.pdf.

Figure 1



71. Offences may come to Police attention considerably after the offence occurred, and investigations can vary in length. Between July 2014 and November 2017, there were 38,060 investigations for Crimes Against the Person where a woman was the victim, that were finalised (within 30 days of the matter becoming known to Police) with Court-related action.[7] Of these, 92.2 per cent were for Acts Intended to Cause Injury (see table 2).

Table 2
Crimes against the Person victimizations for all women where an investigation had been finalised (within 30 days of the matter becoming known to Police)

ANZSOC Crimes Against the Person	*Reported*	*%*
Acts Intended to Cause Injury	34 814	92.20
Sexual Assault and Related Offences	2 094	5.50
Robbery, Extortion and Related Offences	853	2.20
Abduction, Harassment and Other Related Offences Against a Person	299	0.80
Total	**38 060**	**100**

72. Of investigations brought to Court, 63 per cent were for women aged 10–29 years, after which prosecution declined steadily with age (see figure 2).

[7] This excludes investigations which concluded that no crime actually occurred.

Figure 2

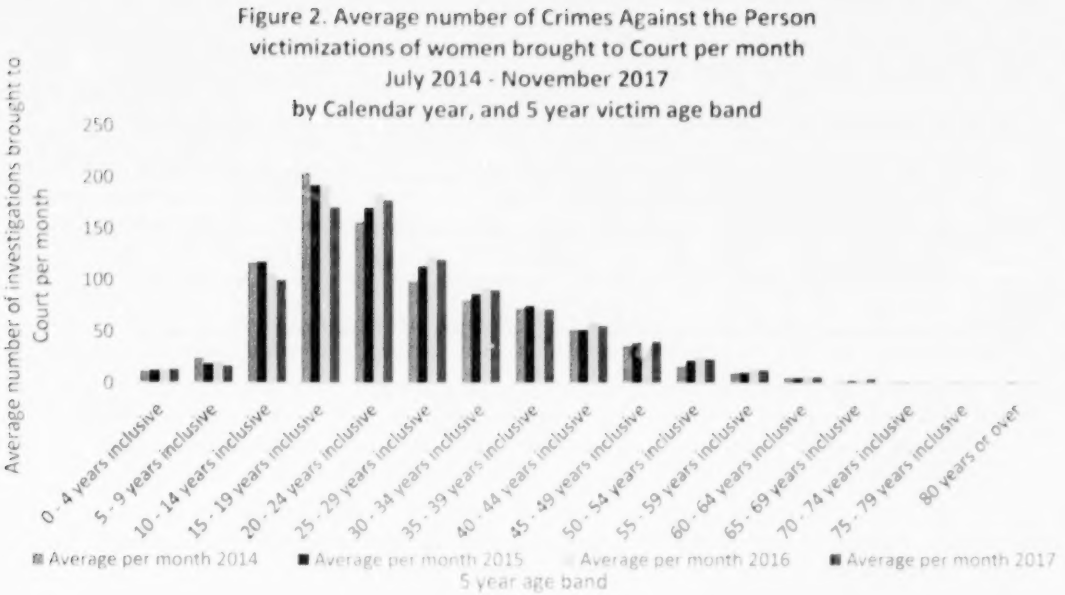


Figure 2. Average number of Crimes Against the Person victimizations of women brought to Court per month
July 2014 - November 2017
by Calendar year, and 5 year victim age band
Average number of investigations brought to Court per month
250
200
150
100
50
0
0 - 4 years inclusive
5 - 9 years inclusive
10 - 14 years inclusive
15 - 19 years inclusive
20 - 24 years inclusive
25 - 29 years inclusive
30 - 34 years inclusive
35 - 39 years inclusive
40 - 44 years inclusive
45 - 49 years inclusive
50 - 54 years inclusive
55 - 59 years inclusive
60 - 64 years inclusive
65 - 69 years inclusive
70 - 74 years inclusive
75 - 79 years inclusive
80 years or over
Average per month 2014
Average per month 2015
Average per month 2016
Average per month 2017
5 year age band

73. In 2017/18 the Ministry of Social Development (MSD) provided a total of $12.9 million of funding to the National Collective of Independent Women's Refuges, representing 41 affiliated providers and 16 non-affiliated providers of refuge services for women, to deliver a range of family violence support services, such as advocacy, risk assessments, counselling, case management and safety planning. Women's Refuges are also funded to provide transitional accommodation services.

74. Refuge services are provided in all regions, including outreach services in some rural areas where refuge facilities are not available or easily accessible. MSD also funds culturally responsive services for Māori, Pacific, and refugee and migrant women.

75. A review of MSD-funded emergency accommodation services conducted in late 2015 found that, on average, demand for refuge services and refuge-related services exceeded contracted volumes by 100 per cent, which is in line with more recent research about demand for MSD-funded family violence services.

76. MOJ funds services to help high-risk victims of family violence wanting to leave a violent relationship by providing support to safely remain in their own homes.

Trafficking

77. **Information before the Committee indicates that the State party is a source and destination country for trafficking in persons. Please provide updated information on the extent of such trafficking for labour and sexual exploitation, the number of investigations, prosecutions and convictions since the first trial on trafficking charges concluded in December 2015, and progress and challenges in combating trafficking in persons since the amendment to the Crimes Act of 1961, which removed the stipulation under which trafficking was considered such only if it took place across borders, came into effect.**

78. **It is stated in the report that prostitution was decriminalized under the Prostitution Reform Act of 2003, which was reviewed in 2008 (para. 44). Please**

provide information on specific measures taken to combat the exploitation of prostitution and on exit programmes for women who wish to leave prostitution and the number of women and girls who have benefited from such programmes. Please also provide information on progress made in updating the plan of action to prevent trafficking in persons.

79. Most trafficking and exploitation cases detected have involved migrants from the Asia-Pacific region travelling to New Zealand willingly in order to work and have a better life. Once they arrive in New Zealand it becomes clear they were deceived or being exploited. Migrant workers are a vulnerable section of the workforce as they are less likely to be aware of their rights and entitlements than their New Zealand colleagues. Agriculture, horticulture, viticulture, construction, manufacturing, and hospitality are among the sectors most concerned.

80. New Zealand has one ongoing investigation that involves trafficking; two prosecutions with one pending trial; and one conviction on 15 counts of trafficking.

81. In April 2017, new rules came into effect to stop employers who breach immigration and employment law from recruiting migrant workers. More than 50 employers have since been prevented from recruiting migrant labour for varying periods.

82. New Zealand has comprehensive laws to prosecute people-traffickers. The first successful prosecution was in 2016. A Fijian national with New Zealand permanent residence was sentenced to nine years and six months in jail and ordered to pay a total of $28,167 reparation to his victims. This conviction was seen as a deterrent to others who may be attempting to exploit migrants.

83. An Inter-Agency Working Group comprising 12 agencies responds to trafficking concerns, and conjointly develops strategies to combat trafficking. New Zealand is also actively engaged in the Bali Process Government and Business Forum.

84. The Prostitution Reform Act 2003 (PRA) states that no visa may be granted under the Immigration Act 2009 to a person in relation to prostitution work. The PRA also requires that every holder of a temporary entry class visa granted under the Immigration Act may not, while in New Zealand, provide commercial sexual services, act as an operator of a New Zealand business of prostitution, or invest in such business.

85. Immigration Border Operations have guidelines on identifying, preventing, and appropriately escalating cases of people trafficking.

86. Medical Officers of Health are empowered as inspectors under the PRA to conduct inspections relating to compliance with health and safety regulations.

87. The government does not fund exit programmes that target women in prostitution.

88. The National Plan of Action to Prevent People Trafficking is being updated and will include the text required to ratify the ILO forced labour protocol, as well as reference to modern slavery. A consultation process will be undertaken and updates are expected to be completed in 2018.

Participation in political and public life

89. **It is stated in the report that the gender representativeness of Parliament has increased significantly since the advent of the mixed member proportional voting system in 1996, although it still has some way to go before it reflects the gender balance in society (para. 47). Although there has been some improvement in the representation of women in decision-making bodies, including in**

Parliament and the public service, women remain underrepresented in the judiciary, and on statutory boards and private-sector boards. Please provide information on steps envisaged to increase the number of women in elected and appointed decision-making bodies, including local councils, and statutory and private-sector boards, with a view to achieving equal representation of women in political and public life, including through the adoption of temporary special measures, in accordance with article 4 (1) of the Convention and general recommendation No. 25. Please also provide information on any incentives used by political parties and the private sector to increase the representation of women, particularly in decision-making positions.

90. Promoting women in leadership is one of the Government's priorities for women. Women have made steady gains in representation at central and local government and on statutory boards. Representation at top levels in the private sector has improved, but is still relatively low.

91. Government is working to improve data collection and analysis on leadership diversity in the public and private sectors, providing advice to decision makers on the case for change and promoting effective strategies to realise gender balance.

92. Government nominations services continue to assist with the recruitment of suitable women for state sector boards. The Institute of Directors' Future Directors programme has been introduced to the public sector. As at December 2016, women made up 45.3 per cent of state sector boards and committees, meeting the Government's target of 45 per cent for the first time.

93. Government also works with individual private sector leaders and organisations, such as the New Zealand Stock Exchange (NZX), Business New Zealand and Champions of Change, to increase women's leadership representation. In 2017 NZX strengthened its diversity reporting requiring listed companies to establish a diversity policy with measurable objectives and report annually on a 'comply or explain' basis. Women made up 19 per cent of directors and 19 per cent of officers of all NZX-listed companies as at December 2017.

94. Women have made steady gains in representation at local government. District councils have seen increases in the proportion of women elected members, increasing to 34 per cent in 2016. Councils are carrying out specific initiatives to increase the representation of women at senior levels within council and to increase the diversity of the boards of council-controlled organisations.

95. Government continues to work to create an environment where key decision-makers across all sectors understand the economic and social importance of appointing women and actively seek out suitably qualified women candidates.

96. MfW acts as a 'connector' between emerging women leaders, providing support and information, to develop their skills and talents and realise their leadership potential.

Education

97. **It is acknowledged in the report that Maori and Pasifika women are less likely than their European and Asian counterparts to complete tertiary education (para. 88). It is also indicated that men continue to dominate the fields of information technology and engineering (para. 90). Please provide information on steps being taken to address the issue of Maori and Pasifika women and girls dropping out of school and measures to encourage girls to pursue courses in science, technology, engineering and mathematics, and whether the Curious Minds science initiative targets women and girls to that end.**

Please also provide information on the degree of access to education enjoyed by women and girls with disabilities in the State party.

98. **Please provide an update on the impact of the implementation of programmes aimed at reducing the high rate of teenage pregnancy, particularly the better public service target programme (paras. 142 and 143). Please provide data on dropout rates for girls owing to pregnancy and the levels at which they occur, the number of teenage mothers who returned to school after childbirth during the reporting period, and the impact of indirect education costs ("voluntary donations"), which reportedly impede the access of women and girls to education. Please provide an update on progress and challenges relating to the delivery of age-appropriate education programmes on sexual and reproductive health and rights at all levels of education in the State party (para. 137).**

99. To address low attendance and to improve retention the Government has implemented various initiatives in secondary schools:

- Positive Behaviour for Learning programmes help parents, whānau, teachers and schools promote positive behaviour and create inclusive learning environments;
- Attendance Services aim to be responsive to the needs of Māori and Pacific students and address the root causes of truancy and non-enrolment;
- The Youth Guarantee programme provides targeted 16 and 17 year olds with an opportunity to take part in a range of free vocational courses;
- Communities of Learning | Kāhui Ako aim to raise achievement levels for those most at risk of underachieving through culturally responsive practices;
- ARoNA (At Risk of Not Achieving) focuses on Māori and Pacific students within the 1999 cohort at risk of not achieving and provides the support they need to gain NCEA Level 2 or equivalent;
- Count Me In offers practical support on career paths to Māori and Pacific aged 16 to 18 that have left school without NCEA Level 2 or equivalent;
- Check and Connect is a long-term mentoring programme for students from Year 8 upwards at risk of disengaging from school.

100. A Nation of Curious Minds — He Whenua Hihiri i te Mahara is a cross government initiative to encourage and enable better engagement with science and technology across all sectors of New Zealand society, including increasing girls' and women's participation in science and information and communication technology (ICT).

101. A series of profiles of Women in STEM are featured on the Curious Minds website and include different career stages across a range of disciplines.

102. The Unlocking Curious Minds (UCM) contestable fund supports innovative projects that will engage New Zealanders, particularly young people (aged 18 years and under), who have fewer opportunities to be involved with science and technology. The UCM has funded initiatives targeting female students including: science camps, an engineering afterschool club, computing and robotics workshops.

103. Toloa Kenese Clubs run in various schools across the Auckland, Wellington and Christchurch regions and are designed to encourage participation of Pacific students from Year 7 to Year 10 in hands-on STEM learning activities.

104. In June 2017 MfW published Decoding Diversity,[5] a guide for educators about how to attract and retain young women and girls in technology-based education and careers.

105. 2014 NCEA data shows that female student levels of participation and achievement across STEM subjects is equal to or greater than that of male students.

106. Since 2016, the Ministry of Education has offered tertiary level STEM related scholarships. In 2017, 37 per cent of recipients were female.

107. Under the Education Act 1989, all children and young people who have special educational needs have the same rights to enrol and receive education at State schools as people who do not. The New Zealand Disability Strategy and the UN Convention on the Rights of Persons with Disabilities, inform the work of government agencies on disability issues, and guide the development of learning support policy.

108. An estimated one in ten children and young people receive learning support in education. There are a range of services and supports available to early childhood services, schools, children and young people, and their families to ensure equitable access to education.

109. The Government is committed to reducing the high rates of teen pregnancy and providing support services to teen mothers and their children. Efforts remain focused on providing comprehensive sexuality education.

110. Sexuality education is one of seven key components of the health and physical education curriculum. Sexuality education guidelines developed in 2015 note that all young people need access to information and opportunities to think about, question, and discuss issues related to relationships, gender, sexual identities, sexual orientation, sexual behaviour, sexual and reproductive health, and societal messages.

111. The guidelines further identify current issues that require attention in sexuality education programmes for adolescents including consent and coercion; the sexualisation of young people, particularly girls; the effects of pornography on young people's understanding of sexuality and relationships; and examining the bias that only opposite sex relationships are normal (heteronormativity).

112. The guidelines advise that social and emotional learning, as well as sexuality and relationship education, is vital for young people to be able to engage positively and critically in a fast-changing, technological, and global world.

113. In 2016, 83.6 per cent of students stayed at school to the age of 17. Female students (86.3 per cent) were more likely to remain at school until age 17 than their male counterparts (81.0 per cent).

114. The Ministry of Education (MOE) does not collect data on why students drop out of school.

115. The options for young parents to continue their secondary education include mainstream schooling, alternative education, Te Aho o Te Kura Pounamu — The Correspondence School or enrolling in a Teen Parent Unit.

Table 3
Enrolments in Teen Parent Units

Year	*2007*	*2008*	*2009*	*2010*	*2011*	*2012*	*2013*	*2014*	*2015*	*2016*	*2017*
Teen Parent Unit	416	458	463	489	513	472	517	492	512	511	502

[5] http://women.govt.nz/documents/decoding-diversity

16. MOE does not have data on the number of teen mothers that enrol in mainstream schooling, alternative education or Te Aho o Te Kura Pounamu — The Correspondence School after giving birth.

117. Access to education for all domestic students between the age of 5 and 19, is ensured through the legal obligation of state and state-integrated schools to provide free enrolment and free education. Boards of trustees cannot compel payments (including donations) associated with the delivery of the curriculum. This includes payments for lessons, trips and activities that are part of a school's overall curriculum, such as school camps or swimming lessons in school time.

118. Schools use donations as a mechanism to provide their students with extra educational provision over and above that funded by government for the delivery of the curriculum. Schools vary in how clearly they communicate to families that these are optional donations and not charges. MOE investigates complaints from parents but does not systematically monitor what schools are requesting in the way of payments by parents.

Employment

119. **It is indicated in the report that, although women are better qualified than in the past, they are overrepresented in minimum-wage jobs and that Maori and Pasifika women and young mothers are vulnerable to low-wage employment (para. 98). Please provide information on the measures being taken to reduce the concentration of women, particularly Maori and Pasifika women, in low-paid employment and improve their participation in fields traditionally dominated by men, especially construction work, fishing, renewable energy and transport. Please also provide information on measures in place to enforce the principle of equal pay for work of equal value, in line with the International Labour Organization Equal Remuneration Convention, 1951 (No. 100), with a view to closing the wage gap between women and men, which contributes to post-retirement poverty among women (para. 113). Please further provide information on measures being taken to address the high unemployment rate among Maori and Pasifika women (para. 100). Please indicate what steps are being taken to address the shortage of childcare facilities and encourage the use of flexible working arrangements (para. 110). Please provide information on the status of the draft law, under which paid parental leave would be extended to 26 weeks, and steps to abolish the Minimum Wage Act of 1983, which empowers inspectors from the Ministry of Business, Innovation and Employment to issue minimum wage exemption permits for workers whose disabilities limit their capacity to carry out the requirements of their work and has reportedly been used to exclude workers, including women, with disabilities from equal remuneration.**

120. The Government is committed to fully utilising women's skills and talents in employment and leadership. Government agencies are working with industry and community leaders and education providers across a range of initiatives to reduce the concentration of women in low-income fields and develop opportunities for women in non-traditional fields.

121. See paras. 103 to 109.

122. Closing the gender pay gap is a priority for the Government and work is underway in three areas.

Supporting and accelerating action in the public sector to close the gender pay gap

123. The Government is committed to addressing the gender pay gap (currently 12.5 per cent) within the core public service with substantial progress within this Parliamentary term.

124. In October 2016, public service chief executives committed to a diversity and inclusion work programme. A key priority is identifying and closing gender and ethnic pay gaps, with significant early emphasis on transparency, gender pay gap action plans, workshops and normalising flexible workplaces.

125. Chief executives are accelerating the pace of change by developing public service wide actions and milestones. MfW is working to ensure the private sector is on a similar pathway.

126. A joint union and state sector working group is currently developing a set of Gender Pay Principles to apply across the state sector. These principles, once agreed, will establish a sustainable framework for chief executives and Government-led action, with bi-partite oversight of progress towards eliminating the gender pay gap.

Supporting employer action to close the gender pay gap

127. In July 2017, MfW published, *Closing the Gender Pay Gap Actions for Employers*,[9] a guide for employers to measure and close gender and ethnic pay gaps.

128. The State Services Commission and MfW are leading the creation of public service-wide guidance to help agencies meet gender pay gap targets and embed sustainable cultural change.

129. The National Advisory Council on the Employment of Women has provided funding to a pilot initiative to support women returning to IT careers following parental leave.

Building and promoting the evidence on the gender pay gap

130. In March 2017, MfW published the research, *Empirical evidence of the gender pay gap in New Zealand*,[10] which looks at the causes of the gender pay gap.

131. In 2018 MfW will release new research on the long-term effect of parental leave and part time work on women's incomes and experiences in the labour market.

132. Māori and Pacific women will form an increasingly large part of New Zealand's future workforce and business community. Cultural diversity will be an important consideration for improved market outcomes.

133. The Government has committed to an ambitious target of reducing Māori unemployment to 7.5 per cent by 2021. It has directed the Ministry of Business, Innovation and Employment (MBIE), the Ministry of Māori Development (Te Puni Kōkiri), MSD and the Tertiary Education Commission (TEC) to develop a coordinated action plan to give effect to this target.

134. Coordinated action will focus on: ensuring Māori people acquire the necessary generic and work-specific skills; connecting Māori people with employers through workforce planning and work brokerage; and supporting Māori people within the workforce to move into higher-skilled, higher-wage roles over the course of their working life.

[9] http://women.govt.nz/documents/closing-gender-pay-gap-actions-employers

[10] http://women.govt.nz/sites/public_files/Empirical%20evidence%20of%20GPG%20in%20NZ%20-%20Mar2017_0.pdf

135. Māori and Pacific women have access to programmes and services that aim to improve employment opportunities:

- He kai kei aku ringa: the Crown-Māori Economic Growth Partnership Strategy;[11]
- Project 1000;[12]
- Te Puni Kōkiri Cadetship Initiative;[13]
- The Māori and Pasifika Trades Training programme;[14]
- Tupu Tai Pasifika Internships;[15]
- Tupu Tek IT Internships;[16]
- Tupu Toa Pasifika Internships;[17]
- The Accelerating Pacific;[18]
- The Pacific Employment Support Service;[19]
- The Pacific Economic Strategy 2015–2021;[20]
- He Poutama Rangatahi;[21]
- The Regional Growth Programme;[22]
- The Sector Workforce Engagement Programme.

136. The supply of early childhood education (ECE) facilities has largely matched demand. There is continuing growth in the percentage of children who have regularly attended ECE services prior to starting school (96.8 per cent in the year ending June 2017).

137. The Targeted Assistance for Participation (TAP) fund is a grant that provides funding for ECE services to be built or extended. It creates new child places and ECE services in areas where participation in ECE is lowest or the needs of a particular community are not being met by existing provision.

138. In the seven years to 2016/17, $101 million has been invested through 285 TAP grants. These grants have created over 9,000 new child places in areas with the highest need.

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[11] https://www.tpk.govt.nz/en/a-matou-mohiotanga/business-and-economics/he-kai-kei-aku-ringa-the-crownmaori-economic-growt

[12] https://www.beehive.govt.nz/release/project-1000-grow-jobs-hawke's-bay-people.

[13] https://www.tpk.govt.nz/en/whakamahia/cadetships.

[14] http://www.maoripasifikatrades.co.nz.

[15] http://www.mbie.govt.nz/about/work-for-us/graduate-and-intern-opportunities/summer-internships-2017-18/tupu-tai-pasifika-public-sector-internship-programme.

[16] http://www.mbie.govt.nz/info-services/infrastructure-growth/pacific-economic-development/tabana-nius-mbie-pacific-economic-strategy-newsletter/issue-six/tupu-tek.

[17] https://www.tuputoa.org.nz.

[18] http://www.mbie.govt.nz/info-services/infrastructure-growth/pacific-economic-development/tabana-nius-mbie-pacific-economic-strategy-newsletter/issue-six/co-design-project.

[19] http://www.mpp.govt.nz/employment-and-entrepreneurship/pacific-employment-support-services/.

[20] http://www.mbie.govt.nz/info-services/infrastructure-growth/pacific-economic-development/pacific-economic-strategy-2015-2021.

[21] https://www.beehive.govt.nz/release/more-funding-help-equip-māori-youth.

[22] http://www.mbie.govt.nz/info-services/sectors-industries/regions-cities/regional-growth-programme.

139. All employees are currently entitled to request flexible working under Part 6AA of the Employment Relations Act 2000, and employers can only refuse such a request based on genuine business reasons. Flexible working arrangements are generally seen as a matter for individual employers and employees to negotiate.

140. The Government contributes funding to Diversity Works NZ, a charitable trust that provides employers with information and tools to raise awareness of the business benefits of effectively managing diversity in the workplace. It actively promotes flexible working arrangements as a means of enabling greater workplace diversity.

141. The Paid Parental Leave Bill was passed on 30 November 2017. Paid parental leave will increase to 22 weeks on 1 July 2018, and then to 26 weeks on 1 July 2020.[23]

142. Minimum Wage Exemption Permits (MWEPs) were introduced in 2007, following the repeal of the Disabled Persons Employment Promotion Act 1960. The policy was seen as a compromise between the abolition of all discriminatory measures and the need to maintain employment opportunities for a group that faces persistent disadvantage in the labour market.

143. The Government has agreed to investigate better alternatives to the use of MWEPs. Accordingly, the New Zealand Disability Action Plan 2014–2018 prioritises an increase in the number of disabled people in paid employment and self-employment on an equal basis with others. This involves:

- Implementation of a long-term work programme to improve employment outcomes for disabled people including the development of guidelines on reasonable accommodation;
- Identifying better alternatives so that MWEPS can be removed.

144. A Reference Group was established with representatives from across the disability sector to help shape potential alternatives to the MWEP system. The Government has not yet decided how this work will be progressed in 2018 and beyond.

Health

145. **It is indicated in the report that significant gaps remain in health outcomes, with Maori and Pasifika communities, persons with disabilities and socioeconomically disadvantaged groups generally experiencing worse health outcomes than other groups (para. 125). Please provide information on progress and challenges in addressing that phenomenon, attributed in the report to differences with regard to access to and use and experience of health services, as well as differences in exposure to risk (para. 126). Information before the Committee indicates that Maori and Pasifika women continue to suffer high rates of breast and cervical cancer, mental illness, suicide, sexually transmitted infections, teenage pregnancy and drug and alcohol abuse. Please provide information on the impact of the programmes and other initiatives adopted to address those issues. Please also provide information on measures being taken to remove barriers to access to health-care services by disadvantaged groups of women, including women with disabilities, migrant and refugee women and older women. Please also provide information on the extent to which the Protection of Personal and Property Rights Act of 1988 has been used to have women and girls with intellectual disabilities sterilized without their consent, on the grounds that it is in their best interest.**

[23] https://www.beehive.govt.nz/release/bill-extend-paid-parental-leave-26-weeks-passes

146. Please provide information on the incidence of unsafe abortion and its impact on women's health, including maternal mortality. Please also provide information on measures being taken to amend the Crimes Act in order to expand the grounds for legal abortion to include rape, and revise the Contraception, Sterilization and Abortion Act of 1977 with a view to easing the onerous procedure for procuring an abortion, under which women are required to obtain certificates from two certified medical consultants, and which reportedly creates long waiting lists for women and girls. Please further provide information on steps being taken to shift oversight of abortion laws, policies and services from the Ministry of Justice to the Ministry of Health. Please also provide an update on the status of the national sexual and reproductive health action plan being developed by the Ministry of Health, and the extent to which relevant stakeholders have been involved in its elaboration.

147. The Government is committed to addressing remaining gaps in health outcomes for women and girls. The past two decades have seen an enhanced understanding of where disparities exist in Māori and Pacific women's health and significant improvements have been made.

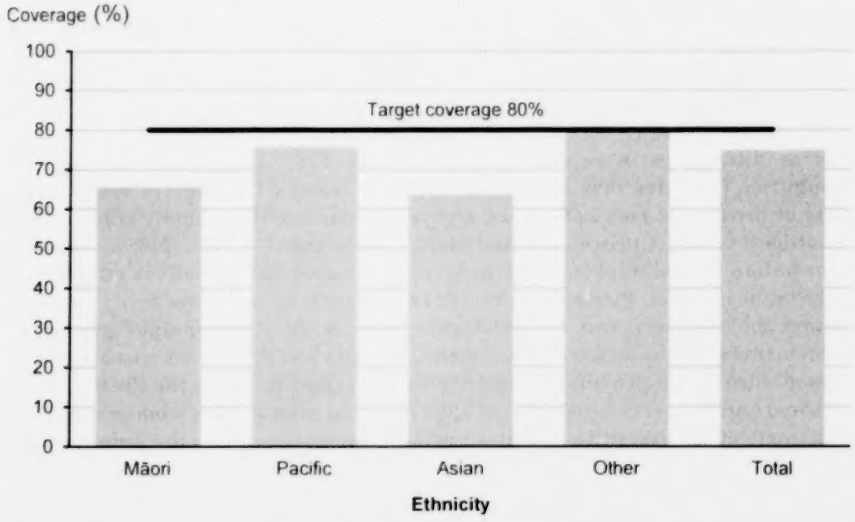
148. Services and innovations to support women, is a priority for the sector. The Ministry of Health (MOH) currently contracts 36 Māori and Pacific providers to deliver the Well Child/Tamariki Ora program. MOH also funds the Māori Support and Pacific Peoples Support initiatives providing cultural supervision, mentoring and development activities for Māori and Pacific health professionals.

National Cervical Screening Programme

149. New Zealand's national cervical screening programme (NCSP) has reduced the incidence of cervical cancer by 56 per cent. Māori, Pasifika and Asian women (priority group women) are less likely to be screened, and are more at risk of developing cervical cancer.

Figure 3

NCSP coverage (%) in the three years ending 30 September 2017 by ethnicity, women aged 25–69 years



150. A planned transition to Human papillomavirus (HPV) primary screening is anticipated to address the access barriers of cost and cultural sensitivity.

151. HPV vaccination rates are high among priority group women and this may help to counteract the lower screening rates in these groups.

Breast cancer

152. BreastScreen Aotearoa, New Zealand's free national breast screening programme aims to screen 70 per cent of eligible women aged 50–69 every two years. In the last two years, 64.8 per cent of Māori women, 71 per cent of Pacific women and 72 per cent of non-Māori women in that age group were screened.

Drug and alcohol abuse

153. As a population group, Māori (29.5 per cent) followed by Pacific peoples (24.4 per cent) experience the greatest burden of mental health and addiction issues. Substance addiction is experienced by over a quarter (27 per cent) of Māori during their lifetime. Kaupapa Māori mental health and addiction services are available, as well as mainstream services with the cultural competencies to work with Māori communities.

Mental illness and suicide

154. Among females, Māori have the highest suicide rates (9.5 per 100,000), followed by New Zealand European and others (5.2 per 100,000), Pacific people (4.8 per 100,000) and Asian (3.8 per 100,000). Waka Hourua, the national suicide prevention programme offers innovative approaches for the local Māori, Pacific and combined communities.

Disabled women's health

155. Challenges persist for disabled women accessing mainstream health and disability services. Disabled women report experiencing a lack of dignity and respect from healthcare professionals regarding their sexual and reproductive health rights and needs. Some types of health services such as mobile breast screening clinics are not physically accessible. People with learning/intellectual disabilities and visual and/or hearing impairments face a lack of specialist communication and support.

156. As part of the updated *New Zealand Disability Strategy 2016–2026* MOH is focused on ensuring disabled people have barrier free and inclusive access to mainstream health services and that services specific to disabled people are accessible and high quality.[24] MOH is co-designing with the disability sector a new system for disability support, with the intention of rolling out a prototype in July 2018. It aims to offer greater choice and control over the supports disabled people and their family receive.[25]

157. New Zealand's maternity system provides disabled (and other) women with their own Lead Maternity Carer (LMC), usually a midwife, whose role is to ensure that the woman receives all the necessary services so that they have a safe and satisfying birth experience.

158. The Protection of Personal and Property Rights Act 1988 (the Act) provides for people to make decisions on behalf of those who wholly or partially lack the capacity to make decisions themselves. The Act applies to people over the age of 18 years old, and puts emphasis on supporting a person to make their own decisions and develop

[24] https://www.odi.govt.nz/nz-disability-strategy/about-the-strategy/new-zealand-disability-strategy-2016-2026/read-the-new-disability-strategy/.

[25] http://www.health.govt.nz/our-work/disability-services/disability-projects/disability-support-system-transformation.

their capacity as much as possible. Decisions about medical treatment can be made under the Act; this has been interpreted by the courts to include sterilisation.

159. Sterilisation is only considered necessary by the court in exceptional cases. MOJ does not hold data on the number of orders made for sterilisation. Legal commentary on the Act notes four reported decisions where the court has considered whether sterilisation is appropriate. In these cases, the court made its decision based on the individual features of each case. The court will only make an order for sterilisation if it considers it the least restrictive option possible in the circumstances, and it is in the affected person's best interests.

160. MOH routinely collects data on the number of legally induced and spontaneous abortions but not illegal abortions. Limited conclusions can be drawn from data collected on spontaneous abortions with complications, since they rely on the information the patient chooses to provide to the treating physician. Illegal abortions are occasionally reported in the media.

161. The Government plans to refer the Contraception, Sterilisation, and Abortion Act 1977 to the Law Commission for review. The Government will ask the Commission to recommend changes to ensure abortion laws are consistent with treating abortion as a health issue that is a reproductive choice for women, rather than as a criminal issue.

162. The Sexual and Reproductive Health Action Plan is still in draft. Members of its sector and clinical reference groups include Māori and Pacific representatives. Engagement meetings have been held with Māori and Pacific communities, among others.

163. MOH is currently developing the National Sexual and Reproductive Health work programme and it will have a particular focus on the provision of equitable care and supportive social environments.

Rural women

164. **Information before the Committee indicates that, in 2010, the State party withdrew funding from adult community education classes, which reduced learning opportunities for rural women. Please list the programmes in place aimed at facilitating the availability to rural women of training and education, including adult education; health care, including sanitation and transport for access to services such as free cancer screening; and employment and agricultural opportunities. Furthermore, please provide information on progress made towards the implementation of programmes designed to improve rural women's access to information, modern technology and social protection.**

165. From 1 January 2018 all New Zealand students who finish school in 2017, or will finish school during 2018, qualify for a year of free provider based tertiary education or industry training. Adults who have previously studied for less than half a full-time year of tertiary education or industry training will also qualify.

166. The changes for 2018 are the first step in the Government's stated intent to provide a full programme of 3 years' fee free tertiary education and training for New Zealanders by 2024. The Government is providing a $50 a week boost to both student allowances and loan entitlements for students living costs.

167. The Government has committed to providing additional funding to Adult and Community Education, which will support more rural women to access education in their communities.

168. In 2016, approximately $47 million was invested in specific literacy and numeracy funds that were delivered in a variety of community and workplace locations.

169. In 2016, Government invested approximately $7 million in Rural Education Achievement Programs, which aim to advance community development through quality lifelong education in rural New Zealand.

170. Ensuring comprehensive, quality services for people living in rural areas is a priority for the Government. Some of the many services available to rural women include mobile breast-screening services, which travel to rural areas throughout New Zealand.

171. The National Travel Assistance scheme provides financial help towards the expenses of women travelling long distances for specialist care.

172. As part of the Ministry of Primary Industries' (MPI) Growing our Future initiative to build awareness about the career opportunities available in the primary sector, a short video has been developed on "Women in the primary industries".[26] The video is available on the MPI website and will be highlighted through social media channels.

173. MPI's Sustainable Farming Fund contributes to improving rural women's access to information, modern technologies, and social protection by providing funding for community projects which can assist with human capability and skills development.

174. In July 2017 MPI commenced funding on a Sector Leadership and Capability Development for Targeted Women's Groups project.[27] The project aims to develop women leaders in three target groups:

- Young women who are entering agri-sector careers;
- Māori women in regional communities who have the potential to create and support self-sustaining enterprises that meet cultural, economic, environmental and community objectives;
- Women with careers outside agriculture whose expertise holds value for the sector.

175. Pilot programmes will focus on areas where there is strong Government interest in supporting regional development and extended programme delivery is anticipated.

Disadvantaged groups of women

176. **Please provide information regarding access to social housing for women, particularly those with disabilities, single mothers and migrant and older women, and on what is being done to protect such women from rising housing costs, overcrowding and long waiting lists for social housing. Please also provide examples of existing social protection programmes aimed at reducing the economic burden on women with disabilities, older women, households headed by women, and single and young mothers. Please provide information on the extent to which the fixed annual quota for refugees under the Refugee Quota Programme has been used and whether the State party is considering increasing it.**

177. Women with disabilities, single mothers, migrants and older women form part of the vulnerable group being targeted to ensure access to public housing. Of the

[26] http://www.mpi.govt.nz/funding-and-programmes/other-programmes/future-skills/growing-our-future/.

[27] http://mpi.govt.nz/funding-and-programmes/farming/sustainable-farming-fund/.

7,327 applicants on the social housing register as at 30 September 2017, 67 per cent were women.

Supporting vulnerable people with the highest needs to be housed

178. Housing First provides households experiencing chronic homelessness with stable housing (public or private) before addressing the issues underpinning their homelessness, to achieve positive long-term outcomes.

179. Emergency Housing Special Needs Grants (EH SNGs) are one-off grants to help women and their families with the cost of staying in short-term accommodation. The number of EH SNGs granted between June and September 2017 fell from 11,446 to 9,159) due to 540 more transitional housing places becoming available.

Transitional Housing

180. Transitional housing provides short-term accommodation (for an average of 12 weeks) for women in need, along with tailored social support. People living in transitional housing pay rent of up to 25 per cent of their income, with the balance subsidised by the Government. As at 30 September 2017, 1,663 transitional places were secured, with a target of securing 2,155 by December 2017. This represents a $354 million government investment over four years from 2016.

Income-related Rent Subsidy

181. Most tenants in public housing pay an Income-Related Rent (IRR), which limits their contribution to no more than 25 per cent of their income, with the balance subsidised by the Government. In 2016/17, the Government spent $815 million on IRR subsidy payments to 63,299 households.

Social housing in the Disability Action Plan

182. Under the Disability Action Plan 2014–2018, the Government has agreed to increase the accessibility for disabled people of the built environment and transport services.

183. Accommodation Supplement (AS) is a weekly payment to assist people who are not in public housing, with their rent, board or the cost of owning a home. In 2016/17, the Government paid more than $1.1 billion in AS to just over 285,000 individuals and households. On 1 April 2018, AS maximum payment rates will rise and the four AS areas will be updated to reflect the increasing housing costs lower-income households face.

184. Temporary Additional Support (TAS) is a weekly payment that helps to cover essential living costs that cannot be met from an individual's income or other resources. It is paid for a maximum of 13 weeks. Approximately 60 per cent of total TAS expenditure is believed to be attributable to accommodation costs. In 2016/17, more than $231.5 million was paid in TAS to over 66,676 individuals and households.

185. Through the Housing New Zealand Corporation (HNZC), the Government provides state homes for more than 180,000 New Zealanders in over 63,000 properties. Over ten years to 2025/26, HNZC forecast building around 11,500 state houses and releasing land to enable around 12,800 affordable/market houses in Auckland, where the greatest shortfall of houses is.

186. A significant house-building programme 'KiwiBuild' is underway. It aims to deliver 100,000 affordable houses over ten years for first home buyers, half of which will be in Auckland. A new Housing Commission will co-ordinate and oversee construction.

187. Welfare assistance is administered based on need and does not discriminate based on gender. There are a range of social protection programmes that positively benefit women and aim to reduce economic hardship, including:

- Supported Living Payment provides basic income for women and men with disabilities or health conditions who are unable to work, as well as income for at-home carers, which remains a female-dominated type of work;
- Disability Allowance is supplementary assistance for additional costs related to a client's disability;
- Specialist employment services are available in situations where disabled people require more intensive or additional support;
- New Zealand Superannuation and the Veteran's Pension provide a retirement income for people aged 65 years and over;
- Jobseeker's Support assists people aged 18 or older who can usually look for or prepare for work (47 per cent of recipients were female at 30 September 2017);
- SuperGold Card for men and women aged 65+ which provides access to government concessions and discounts for everyday goods and services, including free public transport;
- The Community Services Card provides subsidies for doctors' visits and prescription charges;
- The Winter Energy Payment is a new initiative that will be implemented in July 2018. It provides additional financial support for heating costs in winter for anyone receiving a main benefit, New Zealand Superannuation or a Veteran's Pension;
- Sole Parent Support is a main benefit directly targeted at sole parents with at least one dependent child (92 per cent of recipients are female);
- Best Start is a payment of $3,120 per year per child to help families with the costs in a child's early years that will be introduced in July 2018;
- The Family Tax Credit is an income-tested assistance payment that provides extra financial support to help with the costs of raising children;
- The In-Work Tax Credit and Minimum Family Tax Credit are both targeted at low income working families;
- The Sole Parent Study Assistance Programme provides recoverable financial assistance towards the costs of study for selected employment-related training for sole parents and young parents receiving a benefit;
- The Accommodation Supplement is aimed at low income households to provide assistance towards on-going costs of rent, board or home ownership;
- The Childcare Subsidy provides assistance for up to 9 hours of subsidised ECE services, allowing parents time to undertake work preparation activities, or pursue employment or training;
- The Early Learning Payment provides a subsidy for up to 20 hours per week until the child is three years old;
- The Young Parent Payment is for 16 to 19 year olds who have at least one dependent child. Women make up 94 per cent of Young Parent Payment recipients;

- The Guaranteed Childcare Assistance Payment provides financial assistance for childcare costs to young parents who are either receiving the Young Parent Payment and fulfilling their obligations or pursuing secondary education.

188. New Zealand's refugee quota programme will be increased to 1,000 places from 2018/19, and to 1,500 by June 2020.

Table 4
Quota arrivals

Category	*2013*	*2014*	*2015*	*2016*	*2017*
Protection	603	548	554	764	831
Women at Risk	84	149	196	147	120
Family Reunion	50	32	55	57	48
Emergency	0	0	0	1	9
Medical/Disabled	8	9	3	2	7
Total	**745**	**738**	**808**	**971**	**1015**

Disaster risk reduction and climate change

189. **Given that the State party is susceptible to cyclones and earthquakes, please provide information on whether a gender perspective has been integrated into national disaster management and relief and recovery strategies, and indicate the extent to which women are principal drivers for sustainable development and assume leadership roles in consultation processes on disaster risk reduction and climate change initiatives. Please specify whether related policies and programmes include measures to ensure that women are: protected from discrimination when seeking livelihood support following disasters; protected from gender-based violence in evacuation centres; adequately represented in disaster preparedness and response structures, including with regard to climate change mitigation and adaptation; and recognized as a key source of resilience in confronting natural disasters.**

190. See para. 21.

191. New Zealand has an established system for livelihood support following disasters, which includes a range of payments for different circumstances. These payments are administered through the MSD welfare payments system and are subject to the usual rules for equality, fairness, and protection from discrimination.

192. Security is a key concern for evacuation centres (known as 'Civil Defence Centres'). Civil defence authorities are required to consider how they will manage security when they are planning for welfare provision. This is both in terms of how centres are physically set up — including segregated areas for women and children, and how they will be managed (processes and procedures). Protecting vulnerable people, including women and children is recognized as a critical aspect. A registration and needs assessment process on arrival at the centre helps to identify specific issues or at-risk individuals.

193. Women are well represented at all levels in business-as-usual preparedness activities, on governance structures for emergency management and climate change adaptation, in response structures and Ministerial portfolios.

194. Women are increasingly being recognized for the role they play in response and recovery. There is substantial academic research following the 2011 Christchurch earthquake about the role women played in response — in caring for those affected

by the disaster, in bringing the community together to work collaboratively and cooperatively, and in catalysing recovery.

195. Women's groups (e.g. Rural Women New Zealand) are now taking ownership of specific response activities, including possible impact and needs assessments in rural areas.

Women in detention

196. **According to information before the Committee, Maori and Pasifika women and girls experience disproportionately high rates of incarceration and are overrepresented at all levels of the criminal justice system. Please provide information on the extent to which initiatives to address that situation, such as the "Turning of the Tide: A Whanau Ora Crime and Crash Prevention Strategy", take gender into account. Specifically, please clarify what is being done to address the root causes of repeat offending among Maori and Pasifika women and girls; involve traditional leaders and structures in efforts to address the high levels of Maori and Pasifika incarceration; and fully use non-custodial measures, in line with the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (Bangkok Rules).**

197. The Turning of the Tide strategy and action plan (2012/13–2017/18) does not currently include provisions to assess the gendered impact of existing initiatives to reduce the over-representation of Māori and Pasifika women and girls in the criminal justice system. These documents are currently under review and such provisions will be considered.

198. The justice sector is committed to reducing Māori over-representation in the criminal justice system, and in particular improving outcomes for wāhine Māori who are in prison.

199. Corrections' Women's Strategy, Wahine — E rere ana ki te Pae Hou,[28] was launched in August 2017 to enhance women's opportunities to live offence free lives. A key objective of the strategy is to better meet women's needs, including the incorporation of kaupapa Māori values.

200. Te Mana Wahine, a specific kaupapa Māori rehabilitation and reintegration pathway for wāhine Māori (but available to all women) is being developed for all women's prisons.

201. A new service at Christchurch Women's Prison targeted at wāhine Māori and women with Māori children will also be piloted this year as part of the Māori Justice Outcomes Strategy.

202. Pacific women are not over-represented in prison at this time.

203. Police engage with Māori and Pacific leaders on a regular basis at a local, District and National level. The Commissioner of Police has a Māori Focus Forum of Iwi leaders and a Pacific Forum of community leaders. These fora provide guidance on addressing the underlying behaviours driving crime committed by Māori and Pacific peoples.

204. Corrections has a Māori advisory board that provides advice to the Executive Leadership Team on the development of policy and the design of Corrections services aimed at reducing re-offending by Māori.

[28] http://www.corrections.govt.nz/news/latest_news/e_rere_ana_ki_te_pae_hou.html

205. In March 2017, Corrections signed an accord with the Kiingitanga (Māori king movement). A key project under the accord is the co-development of a reintegration centre for women.

206. While there are diversionary measures and pretrial alternatives available for use by Police, these are not gender-specific (Rule 57, 58).

207. Police work closely with community providers, such as Women's Refuge, to offer temporary options to protect women who need such protection (Rule 59).

208. Police are able to refer individuals to Iwi Community panels for offences with a maximum penalty of six months imprisonment (excluding family violence and methamphetamine related offences). Panel participants are required to complete a plan, which may include counselling, educational and training programmes to improve employment prospects. Panels incorporate a Whānau Ora approach and aim to fit the needs of the individual and the wider family (Rule 60).

Marriage and family relations

209. **It is indicated in the report that the State party prohibits marriage under the age of 16 years and that a person aged 16 or 17 years require consent from their parents or from the Family Court before the Registrar can issue a marriage licence (p. 51). It is further stated that prohibiting people from marrying under the age of 18 years may constitute age discrimination under the Human Rights Act of 1993, which prohibits discrimination on grounds of age from 16 years onwards (p. 51). Please provide information on the mechanisms in place to prevent forced marriage and to amend the law in order to eliminate child marriage in the State party. Please also provide data on the extent of polygamy in the State party and measures to combat the practice (CEDAW/C/NZL/CO/7, para. 38).**

210. New Zealand law prohibits marriage under the age of 16. A person aged 16 or 17 years requires consent from his or her parents or from the Family Court before the Registrar can issue a marriage license. Only the marrying couple can consent to the marriage at the time it is solemnized, and it is unlawful to give a woman in marriage without her consent.

211. Family and Whānau Violence legislation currently before Parliament will introduce a new forced marriage offence. A forced marriage is one where a person enters into a marriage without freely and fully consenting, due to the use of coercion, threats or deception.

212. Police has updated its manual to provide guidance on responding appropriately to any disclosures of forced and/or under-age marriage, and is working directly with local communities to build trust and confidence through Police Ethnic Liaison Officers, Community Constables and Neighbourhood Policing teams.

213. Bigamy is illegal under the Crimes Act 1961.

Appendix A

Women and Girls in Tokelau

214. In 2017 Tokelau published analysis of its 2016 census. This incorporated updated information on the situation of women and girls in Tokelau, including that:

- Women are performing comparatively well in education, with the proportion of women studying at tertiary level (at the time of the census) more than twice as high than men (7.9 per cent and 3.1 per cent respectively);
- Men are more likely to participate in paid work than women (70 per cent and 49.9 per cent respectively), but women in paid work are more likely than men to work in professional roles (37.9 per cent compared to 29.7 per cent);
- Both women and men participate extensively in unpaid work (77 per cent and 81.4 per cent respectively). In the unpaid sphere traditional roles are still evident: women are more likely than men to contribute to village weaving (37.5 per cent compared to 4.1 per cent), and men are more likely than women to help with village fishing (59.4 per cent compared to 3 per cent). Women are also more likely than men to care for their children (80.6 per cent compared to 52.7 per cent).

215. There have also been a number of positive developments in advancing gender equality and the participation of women in public life in Tokelau since 2016.

216. At the village level:

- Nukunonu village's Taupulega (village council — the most senior decision-making body, comprised of the heads of extended family groups and responsible for all village-level decision-making and resource allocation) now includes 8 women family heads. While the other two villages (Fakaofo and Atafu) have fewer women sitting on their Taupulega, they do allow their female Parliamentary delegates to attend the Taupulega meetings;
- Women in all three villages are now included in the village work force and are able to earn a wage for their labour, though have the option not to work if they choose. Female caregivers are now getting paid to look after their sick children or parents;
- The Fatupaepae (women's groups) in the three villages received approximately $7,000 from the Administrator of Tokelau in 2017, to assist with their village initiatives and activities. This funding was in addition to the $10,000 they each received from their village council. They also sent representatives to Samoa to promote and sell Tokelauan handicrafts;

217. At the national level:

- The three female General Fono (Parliament) representatives participated for the second time in the Pacific Women's Parliamentary Partnerships Forum in the Solomon Islands in September 2017;
- Tokelau participated in the 13th Triennial of the Pacific Women and the 6th Meeting of Ministers of Women in October 2017, and endorsed the Revised Pacific Platform for Action (PPA) and recommendations and outcomes document. This meeting and the associated documents support the economic empowerment of Pacific Women, and promote gender equality and human rights, including the mainstreaming of these concepts into national development plans in the Pacific (like the Tokelau National Strategic Plan);

- The role of Public Service Commissioner has been re-established, which offers the opportunity to help ensure women's rights are protected and enhanced in the public sector;
- The Tokelau Police Core Skills Course was carried out for the very first time to provide core policing skills for Tokelau's new police officers, two of whom are female. This course was delivered with the help of Tokelau's police trainers, two of whom are female constables;
- A Health Summit was attended by General Fono representatives, Fatupaepae and representatives of civil society groups. This was an opportunity for everyone, especially women, to be informed on making decisions about health. Choosing to live healthy lifestyles was seen as a way to empower women.